

C. Storm Water Discharges Associated With Industrial Activity From Chemical and Allied Products Manufacturing Facilities.

1. Coverage of This Section.

- a. Discharges Covered Under This Section. The requirements listed under this section shall apply to storm water discharges from a facility engaged in manufacturing the following products and generally described by the SIC code shown:
- (1) Basic industrial inorganic chemicals (including SIC 281).
 - (2) Plastic materials and synthetic resins, synthetic rubbers, and cellulosic and other human made fibers, except glass (including SIC 282).
 - (3) Soap and other detergents and in producing glycerin from vegetable and animal fats and oils; specialty cleaning, polishing, and sanitation preparations; surface active preparations used as emulsifiers, wetting agents, and finishing agents, including sulfonated oils; and perfumes, cosmetics, and other toilet preparations (including SIC 284).
 - (4) Paints (in paste and ready-mixed form); varnishes; lacquers; enamels and shellac; putties, wood fillers, and sealers; paint and varnish removers; paint brush cleaners; and allied paint products (including SIC 285).
 - (5) Industrial organic chemicals (including SIC 286).
 - (6) Nitrogenous and phosphatic basic fertilizers, mixed fertilizer, pesticides, and other agricultural chemicals (including SIC 287).
 - (7) Industrial and household adhesives, glues, caulking compounds, sealants, and linoleum, tile, and rubber cements from vegetable, animal, or synthetic plastics materials; explosives; printing ink, including gravure ink, screen process ink, and lithographic; miscellaneous chemical preparations, such as fatty acids, essential oils, gelatin (except vegetable), sizes, bluing, laundry soaps, writing and stamp pad ink, industrial compounds, such as boiler and heat insulating compounds, metal, oil, and water treatment compounds, waterproofing compounds, and chemical supplies for foundries (including facilities with SIC 289).
 - (8) Ink and paints, including china painting enamels, india ink, drawing ink, platinum paints for burnt wood or leather work, paints for china painting, artists' paints and artists' water colors (SIC 3952, limited to those listed; for others see *Appendix II.Y.*).
 - (9) Medicinal chemicals and pharmaceutical products, including the grading grinding and

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milling of botanicals (including SIC 283).

- b. Discharges Not Covered By This Section. Storm water discharges from drug manufacturing facilities and other establishments classified as SIC Code 283.
 - c. Co-located Industrial Activities. When an industrial facility, described by the above coverage provisions of this section, has industrial activities being conducted onsite that meet the description(s) of industrial activities in another section(s), that industrial facility shall comply with any and all applicable monitoring and pollution prevention plan requirements of the other section(s) in addition to all applicable requirements in this section. The monitoring and pollution prevention plan terms and conditions of this multi-sector permit are additive for industrial activities being conducted at the same industrial facility. The operator of the facility shall determine which other monitoring and pollution prevention plan section(s) of this permit (if any) are applicable to the facility.
2. Special Conditions.
- a. Prohibition of Non-storm Water Discharges. In addition to those non-storm water discharges prohibited under *Part II.A.2.*, this permit does not authorize the discharge of:
 - (1) Inks, paints, or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans.
 - (2) Washwaters from material handling and processing areas. This includes areas where containers, equipment, industrial machinery, and any significant materials are exposed to storm water.
 - (3) Washwaters from drum, tank, or container rinsing and cleaning.
3. Storm Water Pollution Prevention Plan Requirements.
- a. Contents of Plan. The plan shall include, at a minimum, the following items:
 - (1) Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team. The team will be responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's plan.
 - (2) Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources of pollutants to storm water discharges and sources of discharges

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of pollutants during dry weather. Each plan shall identify all activities and materials that may be pollutant sources. Each plan shall include, at a minimum:

- (a) Drainage and Site Plan. A site map shall be developed for the facility. This map shall include, at a minimum: the location of all structures (manufacturing buildings, garages, etc.), impervious areas, the location of each storm water outfall and/or connection to municipal storm sewer; types of discharges included in each discharge; an outline of the portions of the drainage area of each outfall within the facility boundaries and a prediction of the direction of flow in each area; each existing structural control measure to reduce pollutants in storm water runoff; surface water bodies; locations where materials are exposed to precipitation; and locations where major spills or leaks identified under paragraph 4.a.(2)(c) (below) of this section have occurred. The map shall also indicate the locations of the following outdoor activities: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; the location of transfer of substances in bulk; and machinery.
- (b) Inventory of Exposed Materials and Management Practices. An inventory of the types of materials handled at the site that may be exposed to precipitation shall be collected. Such inventory shall include: a narrative description of materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a *Notice of Intent (NOI)* to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.
- (c) Spills and Leaks. A list of significant spills and leaks of material that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance after the date of 3 years prior to the date of submission of a *Notice of Intent (NOI)* to be covered under this permit. The list shall be updated as appropriate to include any significant spills and leaks during the term of the permit.
- (d) Sampling Data. A summary of existing storm water sampling data describing pollutants discharged from the facility, including a summary of sampling data collected during the term of this permit. In addition, the report of monitoring

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data that is submitted to the *DWQ* pursuant to *Part V.B.* of this permit shall be maintained with the pollution prevention plan.

- (e) Risk Identification and Summary of Potential Pollutant Sources.
 - i) A narrative description of the potential pollutant sources from the following: loading, unloading, and transfer of chemicals; outdoor storage of salt, pallets, coal, drums, containers, fuels, or other materials; outdoor manufacturing or processing activities; significant dust or particulate generating processes; fueling stations; vehicle and equipment maintenance and/or cleaning areas; locations used for the treatment, storage or disposal (on or off site) of wastes and wastewaters; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; the location of transfer of substances in bulk; and machinery.
 - ii) The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., chemical oxygen demand, etc.) of concern shall be identified.
 - iii) Factors to consider include: quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills. In addition, flows with a significant potential for causing erosion shall be identified.
- (3) Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a reasonable schedule for implementing such controls:
 - (a) Nonstructural Controls.
 - i) Good Housekeeping. Good housekeeping requires that areas that may contribute pollutants to storm water discharges are maintained in a clean, orderly manner. At a minimum, the permittee shall:
 - a) Schedule regular pickup and disposal of garbage and waste materials, or use other appropriate measures to reduce the potential for the discharge of storm water that has come into contact with garbage or waste materials. This schedule shall be included in the plan. Individuals responsible for waste management and disposal

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shall be informed of the procedures established under the plan.

- b) Routinely inspect for leaks and the condition of drums, tanks and containers. Ensure that spill cleanup procedures are understood by employees.
 - c) Keep an up-to-date inventory of all materials present at the facility. While preparing the inventory, all containers should be clearly labeled. Hazardous containers that requires special handling, storage, use and disposal shall be clearly marked.
 - d) Maintain clean ground surfaces.
- ii) Preventive Maintenance. A preventive maintenance program shall be developed and shall involve timely inspection and maintenance of storm water management devices (e.g., oil/water separators, catch basins, dikes, storm sewer, basins, pipes). Also, preventive maintenance includes inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures, and ensuring appropriate maintenance of such equipment and systems.
- iii) Spill Prevention and Response Procedures. Spill prevention and response procedures shall be developed. Areas where potential spills (that can contribute pollutants to storm water discharges) can occur and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up (e.g., absorbent materials) should be available to personnel.
- iv) Inspections. Qualified personnel shall conduct quarterly inspections. A wet weather inspection (during a rainfall event) shall be conducted in the second (April to June) and third quarters (July to September) of each year. A dry weather inspection (no precipitation) shall be conducted in the first (January to March) and fourth quarters (October to December). Such inspections shall be documented and this documentation shall be retained as part of the pollution prevention plan. Changes based on the results of the quarterly inspections shall be made in a timely manner.
- a) When a seasonal dry period is sustained for more than 3 months, a dry weather inspection will satisfy the wet weather inspection

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requirement.

- b) All areas exposed to precipitation at the facilities shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented or whether additional control measures are needed. Structural storm water management measures (diking, berming, curbing, sediment and erosion control measures, stabilization controls, etc.) required under this section shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.
- v) Employee Training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping, material management practices and procedures for equipment and container cleaning and washing. The pollution prevention plan shall identify periodic dates for such training of at least once per year.
- vi) Record keeping and Internal Reporting Procedures. A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.
- vii) Facility Security. Facilities shall have the necessary security systems to prevent accidental or intentional entry that could cause a discharge. Security systems described in the plan shall address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.
- (b) Structural Practices. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [see paragraph 3.a.(2) (Description of Potential Pollutant Sources) of this section] shall be considered when determining reasonable and appropriate structural measures. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained.

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- i) Practices for Material Handling and Storage Areas. Permittees shall ensure the implementation of practices that conform with the following:
- a) In areas where liquid or powdered materials are stored, facilities shall provide either diking, curbing, berms, or other appropriate measures to reduce the potential of discharge of liquid or powdered materials in storm water.
 - b) In all other outside storage areas including storage of used containers, machinery, scrap and construction materials, and pallets, facilities shall prevent or minimize storm water runoff to the storage area by using curbing, culverting, gutters, sewers or other forms of drainage control.
 - c) In all storage areas, roofs, covers or other forms of appropriate protection shall be used to prevent storage areas from exposure to storm water and wind. For the purpose of this paragraph, tanks would be considered to be appropriate protection.
 - d) In areas where liquid or powdered materials are transferred in bulk from truck or rail cars, permittees shall provide appropriate measures to minimize contact of material with precipitation. Permittees shall consider providing for hose connection points at storage containers to be inside containment areas, and drip pans to be used in areas that are not in a containment area, where spillage may occur (e.g., hose reels, connection points with rail cars or trucks) or equivalent measures.
 - e) In areas of transfer of contained or packaged materials and loading/unloading areas, permittee shall consider providing appropriate protection such as overhangs or door skirts to enclose trailer ends at truck loading/unloading docks or an equivalent.
 - f) Drainage from areas covered by paragraph 4.a.(3)(b)(i) of this section should be restrained by valves or other positive means to prevent the discharge of a spill or leak. Containment units may be emptied by pumps or ejectors; however, these shall be manually activated.
 - g) Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas should, as far as is practical, be of manual, open-or-closed design.

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- h) If facility drainage is not engineered as above, the final discharge point of all in-facility storm drains should be equipped to prevent or divert the discharge such that, in the event of an uncontrolled spill of materials, the spilled material returns to or remains on the facility.
- (c) Management of Runoff. The plan shall contain a description of storm water management practices used and/or to be used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. Appropriate measures may include: vegetative swales, ripraps, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, use of porous pavements, and wet detention/retention devices.
- (d) Sediment and Erosion Control. The plan shall identify areas that, due to topography, activities, or other factors, have a potential for significant soil erosion. Plans shall describe permanent stabilization practices and shall ensure that disturbed portions of the site are stabilized. Stabilization practices may include: permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures.
- (e) Non-storm Water Discharges.
 - i) Certification. The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part VI.G.* of this permit. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the storm water pollution prevention plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify the *Executive Secretary* in accordance with paragraph (iii) (below).

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- ii) Exceptions. Except for flows from fire fighting activities, sources of non-storm water listed in *Part II.A.2. (Prohibition of Non-storm Water Discharges)* of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.
 - iii) Failure to Certify. Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the *Executive Secretary* within 180 days after submitting a notice of intent to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State which are not authorized by a *UPDES* permit are unlawful, and must be terminated.
- (4) Comprehensive Site Compliance Evaluation. A member(s) of the pollution prevention team or a qualified professional designated by the team shall conduct, at a minimum, annual site compliance evaluations.
- (a) Areas contributing to a storm water discharge associated with industrial activity such as material storage and handling, loading and unloading, process activities, and plant yards shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional
 - (b) control measures are needed. Structural storm water management measures, sediment and erosion control measures, other structural pollution prevention measures identified in the plan, as well as process related pollution control equipment shall be observed or tested to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.
 - (c) Based on the results of the evaluation, the description of potential pollutant sources (see paragraph 4.a.(2)) and pollution prevention measures and controls (see paragraph 4.a.(3)) identified in the plan shall be revised as appropriate within 2 weeks of such evaluation. In addition, it shall provide for

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implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

- (d) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, observations relating to the implementation of the plan, and actions taken in accordance with paragraph (b) (above) shall be made and retained as part of the plan for at least 3 years after the date of the evaluation. The report shall also identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the plan and this permit. The report shall be signed in accordance with *Part VI.G.* (Signatory Requirements) of this permit.
4. **Numeric Effluent Limitations.** In addition to the numeric effluent limitations described by *Part IV.B.* of this permit, the following effluent limitations shall be met by existing and new discharges with:
- a. **Phosphate Fertilizer Manufacturing Runoff.** The provisions of this paragraph are applicable to storm water discharges from the Phosphate Subcategory of the Fertilizer Manufacturing Point Source Category (*40 CFR 418.10*). The term contaminated storm water runoff shall mean precipitation runoff, that during manufacturing or processing, comes into contact with any raw materials, intermediate product, finished product, by-products or waste product (*40 CFR 418.11(c)*). The concentration of pollutants in storm water discharges shall not exceed the effluent limitations in Table C-1.

Table C-1.
Numeric Effluent Limitations

Effluent Characteristics	Effluent Limitations (mg/L)	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed
Total Phosphorus (as P)	105.0	35.0
Fluoride	75.0	25.0

5. **Monitoring and Reporting Requirements.**
- a. **Analytical Monitoring Requirements.** During the second and fourth year of the permit, permittees with agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities must monitor their storm water discharges associated with industrial activity at least quarterly (4 times per year) during years 2 and 4 except as provided in paragraphs *5.a.(3)* (Sampling Waiver), *5.a.(4)* (Representative

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Discharge), and 5.a.(5) (Alternative Certification). Agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities are required to monitor their storm water discharges for the pollutants of concern listed in Tables C-2, C-3, C-4, and C-5 below. Facilities must report in accordance with 5.b. (Reporting). In addition to the parameters listed in Tables C-2, C-3, C-4, and C-5 below, the permittee shall provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

Table C-2.
Agricultural Chemicals Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Nitrate plus Nitrite Nitrogen	0.68 mg/L
Total Recoverable Lead	0.0816 mg/L
Total Recoverable Iron	1.0 mg/L
Total Recoverable Zinc	0.117 mg/L
Phosphorus	2.0 mg/L

Table C-3.
Industrial Inorganic Chemicals Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Aluminum	0.75 mg/L
Total Recoverable Iron	1.0 mg/L
Nitrate plus Nitrite Nitrogen	0.68 mg/L

Table C-4.
Soaps, Detergents, Cosmetics, and Perfumes Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Nitrate plus Nitrite Nitrogen	0.68 mg/L
Total Recoverable Zinc	0.117 mg/L

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Table C-5.
Plastics, Synthetics, and Resins Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Zinc	0.117 mg/L

- (1) Monitoring Periods. Agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities shall monitor samples collected during the sampling periods of: January through March, April through June, July through September, and October through December for the years specified in paragraph *a*. (above).
- (2) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or nonprocess water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.
- (3) Sampling Waiver.
 - (a) Adverse Conditions. When a discharger is unable to collect samples within a specified sampling period due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate qualifying event in the next period and submit the data along with data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricanes, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).
 - (b) Low Concentration Waiver. When the average concentration for a pollutant

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calculated from all monitoring data collected from an outfall during the second year monitoring period, is less than the corresponding value for that pollutant listed in Table C-2 under the column Monitoring Cut-Off Concentration, a facility may waive monitoring and reporting requirements in the fourth year monitoring period. The facility must submit to the *Executive Secretary*, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

- (c) Inactive and Unstaffed Site. When a discharger is unable to conduct quarterly chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the *Executive Secretary*, in lieu of monitoring data, a certification statement on the *Storm Water Discharge Monitoring Report (SWDMR)* stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.
- (4) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the *SWDMR*.
- (5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph *b.* below, under penalty of law, signed in accordance with *Part VI.G.* (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the

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certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the *DWQ* in accordance with *Part V.B.* of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the monitoring reports required under paragraph *b.* below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

- b. Reporting. Permittees with agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with paragraphs (3), (4), or (5) above] obtained during the second and fourth year reporting periods on *Storm Water Discharge Monitoring Report (SWDMR)* Form(s) postmarked no later than the 31st day of the following March. For each outfall, one *SWDMR* Form must be submitted per storm event sampled. Signed copies of *SWDMRs*, or said certifications, shall be submitted to the *Executive Secretary* at the address listed in *Part IV.* of the permit.
 - (1) Additional Notification. In addition to filing copies of discharge monitoring reports in accordance with paragraph *b.* (above), agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities with at least one storm water discharge associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *b.* (above).
- c. Compliance Monitoring Requirements. In addition to the monitoring required in paragraph 5.a., permittees with contaminated storm water runoff from phosphate fertilizer manufacturing facilities must monitor their contaminated storm water discharges for the presence of phosphorus and fluoride at least annually (one time per year). Facilities must report in accordance with paragraph 5.c.(2) below (Reporting). In addition to the parameters listed above, the permittee shall provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled;
 - (1) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable

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(greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

- (2) Reporting. Permittees with phosphate fertilizer manufacturing facilities shall submit monitoring results obtained during the second year reporting period on *Storm Water Discharge Monitoring Report (SWDMR)* Form(s) postmarked no later than the 28th day of the following February. For each outfall, one signed *SWDMR* form must be submitted to the *Executive Secretary* per storm event sampled. Signed copies of *SWDMRs* shall be submitted to the *Executive Secretary* at the address indicated in *Part V.B.* of this permit.
 - (3) Additional Notification. In addition to filing copies of *SWDMRs* in accordance with paragraph (2) (above), permittees that discharge through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of *SWDMRs* to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph (2) (above).
- d. Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each of the following periods: January through March; April through June; July through September; and October through December during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event.
- (1) Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for entire permit term.

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- (2) Visual Storm Water Discharge Examination Report. Visual examination reports must be maintained onsite in the pollution prevention plan. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.
- (3) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.
- (4) Adverse Conditions. When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examination. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricanes, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).
- (5) Inactive and Unstaffed Site. When a discharger is unable to conduct visual storm water examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution prevention plan stating that the site is inactive and unstaffed so that performing visual examinations during a qualifying event is not feasible.